

## TITLE 8

### MUNICIPAL INFRACTIONS

80.1 MUNICIPAL INFRACTION. Any violation of the City Code of the City of New Hampton is a municipal infraction with the exception of any violation which is a felony, an aggravated misdemeanor, or a serious misdemeanor under state law, or any violation which is a simple misdemeanor under Chapters 687 through 747 of the Code of Iowa.

80.2 CIVIL PENALTY. Unless another civil penalty is provided elsewhere in this Code for a specific violation, a municipal infraction is a civil offense punishable as provided in the following schedule of civil penalties:

1st Offense - \$30.00;  
2nd Offense - \$100.00;  
3rd & Subsequent Offenses - \$200.00.

80.3 REPEAT OFFENSES. Each day that a municipal infraction occurs or is permitted to exist constitutes a separate offense.

80.4 ALTERNATIVE RELIEF. Seeking a civil penalty as authorized in this article does not preclude the City from seeking alternative relief from the Court in the same action. Such alternative relief may include, but is not limited to an order for abatement or injunctive relief. If the City is authorized to abate or correct a violation, the City may seek to assess the costs for abatement or correction against the property in the same manner as property tax.

80.5 CIVIL CITATIONS. An employee or other official authorized by the City to enforce the Code may issue a civil citation to a person who is alleged to have committed a municipal infraction. The citation may be served by personal service or by certified mail, return receipt requested. A copy of the citation shall be sent to the Clerk of the District Court. The citation shall serve as notification of an allegation that a municipal infraction has been committed and shall contain the following information:

- (1) Name and address of the defendants;
- (2) The name or description of the infraction attested to by the officer issuing the citation;
- (3) The location and time of the infraction;
- (4) The amount of civil penalty to be assessed or the alternative relief sought, or both;
- (5) The manner, location, and time in which the penalty may be paid;
- (6) The time and place of court appearance;
- (7) A statement of the penalty for failure to appear in court.